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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,775	06/13/2000	Israel Hilerio	0544MH-35309	5589

7590 07/06/2004  
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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/592,775

Applicant(s)

HILERIO ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) -
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/7/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Drawings***

1. The drawings were received on 11/13/2000. These drawings are approved.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over GROSS (U.S. Patent 5,802,253).

As to claim 1, GROSS teaches a communications exchange, comprising: a communication interface (network interface, messaging transport access layer) (fig. 2) for sending and receiving messages (col. 4, lines 11-16; col. 7, lines 17-26); an event container (event queue / message store) connected to the communication interface, wherein received messages are sent to the event container (event queue) as events (events) (col. 7, lines 23-26; col. 7, lines 30-34); a condition container (rules and rule sets) (fig. 2) connected to the event container, wherein the condition container contains a plurality of condition instances (condition rules); and an action container (actions / agents) connected to the condition container (via the rules engine) (fig. 2), the action container containing a plurality of action instances (actions); wherein when a set of events (new events) received by the event container (event queue) matches a predicate

of a condition instance (condition rules), an action (action), defined in the action instance associated with such condition instance, is performed (col. 9, lines 5-21). GROSS also teaches a rules processor determines which rules to apply to an event and an action processor invokes the action with respect to the invoked rules (col. 57, lines 15-25). Therefore, it is obvious that the condition container and the action container are separate from one another since different entities access the corresponding data for processing.

As to claim 2, GROSS teaches a timer (timer) wherein the timer generates events related to time (col. 5, lines 38-58).

As to claim 3, GROSS teaches the condition instances (rules) are interpreted at run time (via the automatic invocation of the rules mechanism) (col. 8, lines 36-39), wherein the condition instances can be changed while the exchange is operating (via importing the rules file with the other rules for invocation) (col. 9, lines 47-64).

As to claim 4, GROSS teaches a plurality of action instances (actions), when performed, generate a new event (col. 8, lines 16-21). It would be obvious to one skilled in the art at the time of the invention that the new events are processed similar as the messages.

As to claims 5-8, refer to claims 1-4 for rejection. However, claim 5 further details a communication exchange on a communication system and a plurality of user communications systems connected to the exchange. GROSS teaches a communication exchange (rule based messaging mechanism) on a communication system (computer based system) (col. 3, lines 59-66) and a plurality of user communications systems connected to the exchange (users accessing the system through a network mail transport agent) (col. 6, lines 38-48).

As to claims 9-12, reference is made to a method that corresponds to the system of claims 1-4 and is therefore met by the rejection of claims 1-4 above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (703) 305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 25, 2004

